

Docket No. VT0309-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Casey O'Hara

Application No.: 10/092,666

Filed: March 5, 2002

For: Implantable Medical Device Having a
Protected Connection Header

Examiner: Schaetzle, Kennedy

Art Unit: 3762

Confirmation No.: 3831

Docket No.: VT0309-US1

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MAR 06 2006Office of Petitions
Mailstop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

TRANSMITTAL/FEE TRANSMITTAL

Dear Sir:

Submitted herewith for filing are the following documents:

- ☒ 3 page(s) Petition for Revival of an Application for Patent Abandoned
Unintentionally Under 37 CFR 1.137(b)
☒ 2 page(s) Extension of Time (3 months)
☒ 1 page(s) Payment of Issue Fee PTOL-85 Form

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage, via Express mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Esther L. CampbellSignature *Esther Campbell*Date 3-6-06

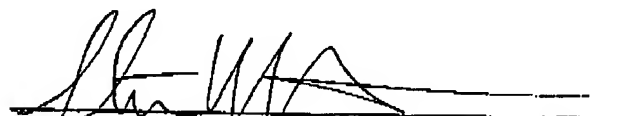
Docket No. VT0309-US1

CALCULATION OF FEES						
ITEM		NO. OF CLAIMS FILED - NO. OF CLAIMS PREVIOUSLY FILED	NO. OF ADDITIONAL CLAIMS FILED	LG ENTITY FEE	\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	- 20 =	0	X \$ 50	\$ 0	\$ 0.00
B	INDEPENDENT CLAIMS FEE**	- 3 =	0	X 200	0	0.00
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (LINES A + B)					\$ 0.00
D	MULTIPLE-DEPENDENT CLAIMS FEE LARGE ENTITY FEE = \$360					
E	PETITION FEE					1500.00
F	ISSUE FEE					1400.00
G	EXTENSION OF TIME					1020.00
H	TOTAL FILING FEE** (ADD TOTALS FOR LINES C, D, E, F AND G)					\$3920.00

<input checked="" type="checkbox"/> Charge Deposit Account No. 22-0265 the amount of	\$3920.00	A copy of this fee transmittal is enclosed.
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- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 22-0265:
- ☒ Any additional filing fees required under 37 CFR 1.16.
 - ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 22-0265:
- ☒ Any patent application processing fees under 37 CFR 1.17.
 - ☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date: 3/6/06

 Steven M. Mitchell
 Attorney for Applicant(s)
 Reg. No. 31,857
CUSTOMER NUMBER: 24473



Cardiac Rhythm Management Division
701 East Evelyn Avenue
Sunnyvale, California 94086

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FACSIMILE COVER SHEET

Deliver to: Office of Petitions Art Group: 3762
Mailstop Petitions
USPTO
Facsimile No.: 571-273-8300 Date: March ⁶ 2006
Application No.: 10/092,666 Filing Date: March 5, 2002
Our Docket No.: VT0309-US1 No. of pgs including cover sheet: 9
From: Steven M. Mitchell, Reg. No.: 31,857

Enclosed are the following documents:

<input type="checkbox"/> Amendment: Response (___ pgs)	<input checked="" type="checkbox"/> Issue Fee Transmittal
<input checked="" type="checkbox"/> Transmittal/Fee Transmittal (2 pg)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Appeal Brief (in triplicate) (___ pgs)	<input checked="" type="checkbox"/> Petition for: Revival of an Application (3 pgs.)
<input type="checkbox"/> Application: (___ pgs w/ cover & abstract	<input type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Assignment & Recordation Cover Sheet (___ pgs)	<input type="checkbox"/> Reply Brief (___ pgs)
<input checked="" type="checkbox"/> Certificate of Facsimile	<input type="checkbox"/> Request & Certification Under 35 USC
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA (___ pgs)	<input type="checkbox"/> Request to Rescind Previous
<input type="checkbox"/> Drawings: ___ sheets, ___ figures	<input type="checkbox"/> Nonpublication Request
<input checked="" type="checkbox"/> Extension of Time: 3 months	<input type="checkbox"/> Response to Written Opinion (___ pgs)
<input type="checkbox"/> IDS & PTO/SB/08 (___ pgs)	<input type="checkbox"/> Terminal Disclaimer
	<input type="checkbox"/> Transmittal of Publication Fee Due Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at fax no.: 571-273-8300.

Esther Campbell 3-6-06
Esther Campbell Date

Confidentiality Note: The documents accompanying this facsimile transmission contain information from St. Jude Medical CRMD which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (408) 522-6181 and ask for Esther Campbell.

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Casey O'Hara

Application No.: 10/092,666

Filed: March 5, 2002

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RECEIVED
CENTRAL FAX CENTER
MAR 06 2006Office of Petitions
Mailstop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR §1.137(b)**

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained. Applicant hereby petitions for revival of this application

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage, via Express mail in an envelope addressed to: Office of Petitions, Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Esther CampbellSignature *Esther Campbell*Date 3-6-06

03/07/2006 HLE333 00000020 220265 10092666

02 FC:1453 1500.00 DA

Serial No. 10/092,666

Page 1 of 3

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Patent

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

☐ has been filed previously on _____.

☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1400.00.

☐ has been paid previously on _____.

☒ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Serial No. 10/092,666

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Patent

Pursuant to 37 C.F.R. 1.136(a)(3), Applicant hereby requests and authorizes the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 22-0265.

Respectfully submitted,

Dated: 3/6/06


By: Steven M. Mitchell
Attorney for Applicant(s)
Reg. No. 31,857

Customer Number: 24473

Enclosures:

- ☒ Fee Payment
☐ Reply
☐ Terminal Disclaimer Form
☐ Additional sheets containing statements establishing unintentional delay
☐ Other: _____